

REMARKS

Claims 31, 33-35, 37-39, 41, 43, 44, 46-48, 50-52, 54, 56, 57, 59, 61, 62, and 64 remain in the application with claims 31, 35, 38, 39, 41, 44, 48, 51, 52, 54, 57, 59, and 61 having been amended hereby and claims 32, 36, 40, 42, 45, 49, 53, 55, 58, 60, 63, and 65 having been canceled, without prejudice or disclaimer.

Reconsideration is respectfully requested of the rejection of claims 31-65 under 35 USC 102(e), as being anticipated by Katinsky et al.

The present invention relates to a system for playing back music identified in play lists that are displayed on the playback apparatus. The play lists are as suggested by the name lists of titles of musical selections that may be indicated for playback by the user of the playback apparatus. One feature of this invention is that switching back and forth between first and second play lists is made possible to increase the flexibility for the user of the playback apparatus. Another feature of the present invention is that when a playback of a musical selection is terminated that title is placed at the end of the appropriate play list. Thus, seam-less playback is possible and the user of the playback apparatus is not confronted with the play lists identifying the titles of the songs that have already been listened to but, rather, only new selections are made available on the play lists.

The claims have been amended hereby to emphasize the above-noted feature of the present invention relating to placing the

title of a selection that has been played back at the end of the respective play list from which it is derived.

Katinsky et al. relates to a apparatus for accessing so-called media streams that can consist of musical selections or movies, for example. In Katinsky et al. when the user selects the "play later" button, this causes the media icon for the media object to be added to the end of the current play list. Thus, it is not after the musical selection has been played back, rather, it is placed at the end of the list for future playback. Furthermore, only the media icon is moved to the end of the current play list and not the title of the musical selection as in the presently claimed invention.

Accordingly, by reason of the amendments made to the claims hereby, as well as the above remarks, it is respectfully submitted that a playback apparatus that plays back contents that are recorded in first and second play lists and wherein the display of the content is moved to the end of the play list following playback, as taught by the present invention and as recited in the amended claims, is neither shown nor suggested in the cited reference.

Entry of this amendment is earnestly solicited and it is respectfully submitted that this amendment raises no new issues requiring further consideration and/or search, because this feature of the present invention regarding arrangement of the play lists was always recited in dependent claims in this application.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,  
COOPER & DUNHAM, LLP

A handwritten signature in black ink, appearing to read "Jay H. Maioli". The signature is written in a cursive, flowing style.

Jay H. Maioli  
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